

**THE MINUTES OF THE CITY COUNCIL MEETING HELD
MONDAY, DECEMBER 14, 2015 AT 3:00 P.M.**

The Meeting was called to order at 3:00p.m. Present: Council Chair Fellers; Council Members: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould, City Clerk, Teresa J. Meier.

Council Chair Fellers announced that a copy of the Open Meetings Law is posted at the back of the Chamber by the northwest door. He asked all present to stand and recite the Pledge of Allegiance and observe a moment of silent meditation.

READING OF THE MINUTES

CHRISTENSEN Having been appointed to read the minutes of the City Council proceedings of December 7, 2015, reported having done so, found same correct.

Seconded by Eskridge & carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

MAYOR'S AWARD OF EXCELLENCE

Mayor Chris Beutler came forward to present the Mayor's Award of Excellence for the month of November, 2015, to Police Investigator Timothy Mika, from the Administrative Support Division of the Lincoln Police Department in the categories of Customer Relations and Productivity. Investigator Mika has worked for the City since 2006 and was nominated by Sgt. Sandra Myers from the Technical Investigations Unit, for his work solving a very complicated fraud case. Investigator Mika joined this unit in January, 2014 and helped uncover a scheme by two owners of a construction company to defraud a local bank using bogus documentation to obtain lines of credit.

Police Chief Peschong came forward and thanked the Mayor and members of the City Council for recognizing Investigator Timothy Mika for his hard work and dedication. He has been doing an outstanding job which has been much appreciated.

Investigator Mika came forward and thanked everyone for the award. He also thanked his unit for all of their hard work on this case.

PUBLIC HEARING

APPOINTING DON HERZ TO THE COMMUNITY HEALTH ENDOWMENT BOARD OF TRUSTEES FOR A TERM EXPIRING SEPTEMBER 1, 2018 - Don Herz, 1817 Saint Andrews Place, came forward to answer questions. Discussion followed.

This matter was taken under advisement.

APPOINTING PIYUSH SRIVASTAV TO THE AIR POLLUTION CONTROL ADVISORY BOARD FOR A TERM EXPIRING SEPTEMBER 1, 2018 - Judy Halstead, Health Department, came forward and asked City Council to support his appointment.

Piyush Srivastav, Nebraska Air Quality Specialties, came forward and stated that in his current position he specializes in issues related to air quality regulations. Mr. Srivastav stated that he feels he would be a great asset to this board. Discussion followed.

This matter was taken under advisement.

APPLICATION OF B&R STORES, INC. DBA RUSS'S MARKET 2 TO EXPAND ITS CLASS C LIQUOR LICENSE BY THE ADDITION OF A NEW LICENSED AREA DESCRIBED AS A ONE STORY IRREGULAR SHAPED BUILDING APPROXIMATELY 273 FEET BY 345 FEET INCLUDING MEZZANINE AREA LOCATED AT 103 NORTH 66TH STREET - Nathan Johnson, 1545 Araphoe St., came forward to take the oath and request approval. Stated that they are currently expanding the size of Russ's by using what used to be CVS as part of the new store. Discussion followed.

This matter was taken under advisement.

APPLICATION OF TWO LOON VENTURES, LLC DBA THIRSTY SPORTS BAR FOR A CLASS C LIQUOR LICENSE AT 317 SOUTH 11TH STREET, SUITE C;

MANAGER APPLICATION OF JASON E. VON KAENEL FOR TWO LOON VENTURES, LLC DBA THIRSTY SPORTS BAR AT 317 SOUTH 11TH STREET, SUITE C - Jason VonKaenel, 2320 NW 46th St., came forward to take the oath and request approval. Discussion followed.

This matter was taken under advisement.

APPLICATION OF BOILER BREWING COMPANY, LLC DBA BOILER BREWING COMPANY FOR A CLASS C LIQUOR LICENSE AT 129 NORTH 10TH STREET, SUITE 8;

MANAGER APPLICATION OF THAD M. AERTS FOR BOILER BREWING COMPANY, LLC DBA BOILER BREWING COMPANY AT 129 NORTH 10TH STREET, SUITE 8 - Thad Aerts, 129 N 10th St., came forward to take the oath and request approval.

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Monte Froehlich, 129 N 10th St., came forward to take the oath and request approval. Discussion followed.

This matter was taken under advisement.

APPLICATION OF NEBRASKA ENTERTAINMENT, INC. DBA SOUTH POINTE CINEMA FOR A CLASS I LIQUOR LICENSE AT 2920 PINE LAKE ROAD;

MANAGER APPLICATION OF LISA M. FRYDA FOR NEBRASKA ENTERTAINMENT, INC. DBA SOUTH POINTE CINEMA AT 2920 PINE LAKE ROAD - Tim O'Neill, Harding & Shultz P.C., 121 S 13th St., came forward to take the oath and request approval. Mr. O'Neill stated that he is here representing South Pointe Cinema with their expansion of food and beverage service. Discussion followed.

This matter was taken under advisement.

MANAGER APPLICATION OF SANDRA K. MCCORKINDALE FOR D&S OPERATIONS, LLC DBA CIGARZ LOUNGE AT 800 Q STREET, SUITE 102 - Sandra McCorkindale, 1906 Gunnison Dr., came forward to take the oath and request approval. Discussion followed.

This matter was taken under advisement.

MANAGER APPLICATION OF JASON J. GEHRKEN FOR RED ROBIN INTERNATIONAL, INC. DBA RED ROBIN AMERICA'S GOURMET BURGERS AT 2707 PINE LAKE ROAD - Jason Gehrken, 5720 S 93rd St., came forward to take the oath and request approval. Discussion followed.

This matter was taken under advisement.

MANAGER APPLICATION OF RANDY A. WILSON JR. FOR NHC, LLC DBA CRAWFORD'S AT 101 NORTH 14TH STREET, SUITE 1 - Randy Wilson, 5717 Harden Dr., came forward to take the oath and request approval.

Leirion Gaylor Baird, Council Member, inquired about Mr. Wilson selling to a minor and if he had made any changes to avoid this from happening in the future.

Mr. Wilson stated that they hire extra doormen all the time when they are busy. Discussion followed.

This matter was taken under advisement.

MANAGER APPLICATION OF JAMES DONALDSON FOR THE FLATWATER BISTRO, LLC DBA THE FLATWATER BISTRO AT 801 R STREET, SUITE 100 - James Donaldson, 801 R St., came forward to take the oath and request approval. Discussion followed.

This matter was taken under advisement.

MANAGER APPLICATION OF STEVEN C. ROKER FOR WALGREEN COMPANY DBA WALGREENS 515 AT 2600 SOUTH 48TH STREET, WALGREENS 541 AT 1301 O STREET, WALGREENS 1162 AT 8300 NORTHERN LIGHTS DRIVE, WALGREENS 2845 AT 5701 VILLAGE DRIVE, WALGREENS 3182 AT 7045 O STREET, WALGREENS 4088 AT 2502 NORTH 48TH STREET, WALGREENS 5874 AT 2630 PINE LAKE ROAD, WALGREENS 6884 AT 4000 SOUTH 70TH STREET, AND WALGREENS 11089 AT 5500 RED ROCK LANE - Steven Roker, 4821 Bear Creek Rd., came forward to take the oath and request approval.

Trent Fellers, Council Chair, asked Mr. Roker if he was scheduled for the manager meeting on January 14.

Mr. Roker said yes. Discussion followed.

This matter was taken under advisement.

MANAGER APPLICATION OF PATRICK J. DYTRYCH FOR STL OF NEBRASKA, INC. DBA TARGET STORE T-0217 AT 333 NORTH 48TH STREET, TARGET STORE T-0879 AT 5330 SOUTH 56TH STREET, AND TARGET STORE T-2303 AT 8201 SOUTH 40TH STREET - Justin Poots, Target Store Director, 7839 S 24th Court, came forward to take the oath and request approval. Discussion followed.

This matter was taken under advisement.

ASSESSING THE COSTS INCURRED FOR CUTTING, CLEARING AND REMOVING WEEDS AGAINST THE VARIOUS BENEFITTED PROPERTIES FOR THE PERIOD OF JANUARY 1, 2015 THROUGH DECEMBER 31, 2015 (RULES WAIVED TO HAVE PUBLIC HEARING & ACTION ON 12/14/15) - Brent Meyer, Lancaster County Weed Control Superintendent, came forward stating this is the weed abatement mowing assessments for the property owners that have not paid for last season.

Cyndi Lamm, Council Member, inquired about the process of notifying the property owner.

Mr. Meyer stated an inspector will go and check the property. If that property owner is not in the system, a courtesy letter will be sent. If there is a history on the property owner, a legal notice will be sent. An enforcement warning (which is an additional step not required) would be sent to the property owner, and then they will receive a notice for a hearing date asking for a lien to be placed on the property.

Jane Raybould, Council Member, asked about the number of violations and the total amount for these violations.

Mr. Meyer stated that there were 32 properties that were enforced on twice, one property three times, for a total of \$41,000.00 dollars. Discussion followed.

This matter was taken under advisement.

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING

DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF NOVEMBER 1-30, 2015 - Mark Campa, 1485 Ormsby Rd., Central City, came forward requesting that his claim for damage to his vehicle be allowed. Mr. Campa stated that on October 11, 2015 while driving on West O St. by Salt Valley Creek Bridge he drove over a pothole that damaged the underside of his vehicle and will cost approximately \$3000.00 dollars.

Jeff Kirkpatrick, City Attorney, came forward and stated on October 12, 2015 the City was notified of this pothole and that same day the City went out to place a temporary patch on it until it could be permanently fixed in November. Mr. Kirkpatrick stated a City street crew noticed the pothole on October 12, and placed a temporary patch over the pothole that same day, since the City was not aware of the pothole until October 12, they are not liable for the damages to Mr. Campa's vehicle on October 11.

Jon Camp, Council Member, inquired if this claim was in the same area of claim several months ago from another driver on West O Street.

Mr. Kirkpatrick stated he was unsure of the time frame of this past claim, but the city was monitoring this area after it was noticed the joints were getting larger, and that is how they became aware of the pothole.

Teri Pope-Gonzalez, 349 S 1st St., Founder of Neighborhood Association in that area, came forward and stated that she has made several calls regarding potholes in that area. Discussion followed.

This matter was taken under advisement.

APPROVING A COOPERATIVE AGREEMENT BETWEEN THE NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY (NDEQ) AND THE CITY OF LINCOLN REGARDING STATE OF NEBRASKA GRANT FUNDING FROM THE STORMWATER MANAGEMENT PLAN PROGRAM - Ben Higgins, Public Works, came forward and stated that this agreement with NDEQ is the 10th agreement in a row, and our match is 20% on this agreement.

Cyndi Lamm, Council Member, inquired about the progress report that is due on July 31, 2016 and future projects.

Mr. Higgins stated that the process has already begun. Projects are currently being placed in the queue for when a bond issue is done prior to the next CIP due in early February.

Leirion Gaylor Baird, Council Member, inquired about what the grant could be used for.

Mr. Higgins stated for items relating to the storm water permit with water quality. Discussion followed.

This matter was taken under advisement.

TEXT AMENDMENT 15023 - AMENDING SECTIONS 1 THROUGH 10 OF CHAPTER 2.05 ENTITLED "STORMWATER DRAINAGE DESIGN STANDARDS" TO ADD DEFINITIONS, TO PROVIDE INFORMATION REGARDING THE DRAINAGE CRITERIA MANUAL, TO UPDATE THE DESIGN STANDARDS TO CLARIFY REFERENCES TO OTHER DOCUMENTS; AND UPDATE THE DESIGN STANDARDS TO MATCH PROVISIONS IN CHAPTER 28.03 OF THE LINCOLN MUNICIPAL CODE ENTITLED "REGULATIONS FOR POST CONSTRUCTION STORM WATER MANAGEMENT" AND CHAPTER 8 TO THE CITY OF LINCOLN'S DRAINAGE CRITERIA MANUAL - Ben Higgins, Public Works, came forward and stated that this is just a guidance, the ordinances were passed in early 2014. He stated that this is a companion document that is part of the design standards in chapter 2.05.

Cyndi Lamm, Council Member, inquired about how far down stream we would inspect pipes to ensure that the existing pipes are up to standards.

Mr. Higgins stated that in the past ordinances were passed that stated if you have open channels you need to leave them open, and a lot of times with the development you do not have a big drainage system that affect streams. He also stated that you do not want someone to up size a pipe to bring more drainage downstream. Mr. Higgins stated that when they do big projects they work from downstream to upstream.

Teri Pope-Gonzalez, 349 S 1st St., came forward asking what the compromises were and stated that her neighborhood was stranded for three days.

Mr. Higgins stated that the water quality standards are for minor events. Minor events are approximately 80% of the storms in Lincoln that are 0.83 inches or less and that is what the quality standards are meant for, not for major events. The Clean Water Taskforce recommended 90% for all development and 80% for redevelopment, the compromise was that 80% for developments and 70% for redevelopments. The one year sunrise clause was another compromise and changed from one year to two years. Discussion followed.

This matter was taken under advisement.

APPEAL BY CARL ESKRIDGE OF THE STARTRAN ADVISORY BOARD ACTION APPROVING THE TRANSIT DEVELOPMENT PLAN (TDP) AND THE NEAR-TERM ROUTE CHANGES THAT ARE PART OF THE TDP - Thomas Wittmann, Consultant with Nelson/Nygaard, 1402 Third Avenue, Seattle, Washington, came forward and stated there are consistent demands from the public on bus service wanting

better service, later service, and more frequent service. Mr. Wittmann stated that the three areas that the Transit Development Plan were based on were marketing, how the current system is operating, and what the public response was. Three different alternative plans were developed and presented to the public in an online survey with over 300 responses, two different open houses, discussions with the project advisory board, and multiple meetings with the drivers. Using some of the feedback that was received, a Preferred Alternative Plan was developed and a public hearing was held a month ago. Using some of the feedback from this meeting additional changes were made to the Preferred Alternative Plan.

Mike Davis, Transit Manager for StarTran, came forward and stated that over the last 11 months they have been working on making several changes to this plan to address several issues. Some of the changes will be adding evening service, Saturdays scheduled that are like the weekday schedules to help with confusion on times, increase frequency of bus times, a new crosstown route, improving the transfer system, improving speed and reliability, and adding bus stops. They are excited to continue providing service and to continue to improve service. With these changes over the next three years, they predict an increase of 5%, currently our growth is less than one percent per year.

Cyndi Lamm, Council Member, questioned if the public has had enough time to go over these changes. Ms. Lamm stated that she has requested a date certain for a vote on February 8, 2016, to give the public time to review the new plan.

Roy Christensen, Council Member, asked what is the vision for the future and how does this plan fit in?

Mr. Davis stated that 50% of riders today depend on the transit. And that all riders are wanting a better system. Our current system makes getting around the City difficult, with long waits and a bus system that doesn't run into the evening.

Mr. Christensen asked if the two goals were to improve service and increase the number of choice riders.

Mr. Davis said yes.

Jon Camp, Council Member, asked about the bus fare.

Mr. Wittmann stated that the fare should remain the same, and can be a very powerful tool to increase rider ship.

Jane Raybould, Council Member, asked about the later hours with the new plan and questioned the staggered times for some routes.

Mr. Wittmann stated that it is standard practice to look at each route and the needs for that route. This is why some of the routes have a later schedule than others.

Jeff Altman, 2319 Winding Way, stated that he was on the Transit Development Plan Advisory Committee, and feels that this was the most scientific and thorough process that he has seen on behalf of StarTran. Mr. Altman stated that taking the bus is better for the environment, helps our road system, saves the customer money, and it builds a strong base for the future in public transportation. He also feels that we need to invest more money into StarTran.

Sitaram Jaswal, 3325 Grimsby Lane, came forward and stated that he has been using the bus for 40 years, with the new plan he would need to walk an additional 7 blocks and would need to wait an one hour for the next bus. He also stated that the new plan shows that approximately 20% of the City of Lincoln with service will also change to one hour service. Mr. Jaswal stated that the current system is much better than what is being proposed, and that they need to make additional changes.

Richard Schmeling, 4612 Van Dorn St., came forward and stated his background is in transportation, and this new plan is badly flawed and will impact many people. He stated he feels that the transit system is needing more money. That we're robbing Peter to pay Paul and now Mr. Jaswal is going from having service to not having service. There are areas in Lincoln that people will have to walk several blocks. This is creating transit deserts with the new plans. Costs for everything continue to rise and the money that is given to StarTran has remained the same for the past five years. Mr. Schmeling feels that we should keep the Transit Development Plan and improve it and not keep the Preferred Alternative portion.

Don Nelson, 2430 S Canterbury Lane, came forward and stated that he feels we need to change the way that we look at StarTran, and he feels we need to start restoring some of the resources that are necessary to provide a public transit system for a robust and growing community such as Lincoln.

Mr. Camp asked Mr. Nelson what he felt the top three elements of a public transit system what would be number one.

Mr. Nelson said his dream would be to link the public transit system with employers and education for the public.

Amy Dickerson, Lancaster County Event Center, 4100 N 84th, would like to see the Event Center put on the bus route, that they are the largest public facility that is not on the route. Ms. Dickerson stated that there are several events that are free or near free to the community. Ms. Dickerson stated that there are several openings at the Event Center and the nearest bus route is 14 blocks away and some of the employees of the Event Center are currently walking to work even in the winter.

Hardy Holm, 1617 Garfield St., is in favor of improving transportation. Mr. Holm stated that with the new plan he can see that the North side of Lincoln had more wins with the bus schedules and the South side of Lincoln does not. Mr. Holm said that he does like the later hours with this new plan.

Bob Reeves, 3236 Dudley St., likes to take the University bus that runs every 10 minutes. He also likes the talk about later hours, he feels that several things are going on later in the evening that he and his wife would do if they could get a later bus. Mr. Reeves stated that one night he missed his regular bus and he was going to have to wait an hour for the next bus.

John Braisted, 3825 S. 19, stated that he feels one of the issues is that several people have made housing choices based on bus stops like he has. Mr. Braisted said that if people had to walk farther to get to the bus less would ride to the bus. And that there should be a bus to the Lancaster Event Center and we should consider this for the future.

Mike Morosin, 1500 N. 15th St., stated that he rides the bus everyday to the Senior Center to eat lunch and inquired about the number on the back of his bus pass showing that he is a frequent customer, and that being a frequent customer he should have been contacted and asked about the changes with the new plan since this will affect frequent customers. Mr. Morosin stated that when he first came to Lincoln you could get around, but over the years he has watched all of the cut backs to the bus system.

Marilyn Kruger, 2324 A St., stated that she is a StarTran employee and is talking today for her customers that were unable to get to City Council. Ms. Kruger stated that the transit system needs more funding. The customers that take her bus will have to walk farther to get another bus and they are not able to do this and it will devastate her customers. She feels that it is a good plan it just does not go far enough, that we need to implement the entire five year plan now.

Carl Eskridge, Council Member, encouraged Ms. Kruger to have her customers write a letter and send it to City Council and encouraged others to do the same.

Charles Schroeder, President of A212-93, 5420 W. Chancery Rd., is speaking on behalf of drivers of StarTran, he feels that the system layout for the plan is about the best that we can do. He also feels with additional money we would be able to go into phase two that would extend all of the hours to 10 p.m. Mr. Schroeder did mention that it would take longer to cover areas that we are not currently covering. He also mentioned that new people to the area find it hard to believe that as long as they are on the bus route the bus will stop at any corner to pick up customers without having a bus stop sign.

Lori Simms, 2525 S St., stated that she had been taking the bus for 40 years, now when she needs the bus the most she can't get to where she needs on the bus system, that this is a good plan but not good enough. Ms. Simms said that they need to keep her bus stop. Ms. Simms stated that the bus system needs to do more, that she would do events if she could get to them, and she depends on the bus to get around.

Pat Shures, no address given, stated that she has a friend that rides the bus and with the new schedule her friends will need to walk a longer distance to get to the bus and cross a busy street. Ms. Shures stated that she would also have to make changes.

Trent Fellers, Council Chair, asked Mr. Wittmann and Mr. Davis to address some of the questions that came up during the public hearing.

Mr. Davis said that where the bus stops are is something that they look at very closely and where the best place would be for a bus stop.

Mr. Wittmann stated the TDP does not say where the bus stops should be, and that it is easier to make changes and improvement to a bus stop with better amenities for the public. Mr. Wittmann also feels that customers will be willing to walk farther for better service and faster service.

Mr. Davis stated that they have put together 5 phases to this plan. They will need to do this project in phases. These phases will address several of the public concerns. The first couple of phases are more vital and that is increasing frequency and later hours for current routes.

Mr. Wittmann stated that 2.5 Million dollars is what is needed for all 5 phases of this plan and that there is a lot more needed today within the community than what is being provided for by the transit system. Discussion followed.

This matter was taken under advisement.

COMP. PLAN CONFORMANCE 15031 - DECLARING FOUR VACANT PARCELS OF LAND GENERALLY LOCATED AT NORTH 14TH AND NEW HAMPSHIRE, 2100 Y STREET, AND CITY-OWNED LOTS ON THE 400 BLOCK OF SOUTH 40TH STREET AND THE 400 BLOCK OF SOUTH 55TH STREET AS SURPLUS PROPERTY - David Landis, Urban Development, came forward and stated that this went before the Planning Department and was approved. Mr. Landis stated that this is land that the City does not need and would like to make it available for the public to purchase. The sale of this land will save the City money. Discussion followed.

This matter was taken under advisement.

ANNEXATION 15010 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 28 ACRES OF PROPERTY GENERALLY LOCATED AT SOUTH 98TH STREET AND ANDERMATT DRIVE;
CHANGE OF ZONE 15029 - APPLICATION OF ANDERMATT, LLC FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT AND B-2 PLANNED NEIGHBORHOOD BUSINESS DISTRICT TO R-3 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT SOUTH 98TH STREET AND ANDERMATT DRIVE - Tim Gergen, Clark Enersen Partners, 1010 Lincoln Mall, Suite 200, representing Kreger Development, came forward and stated that they are asking for the annexation of approximately 30 Acres to build 91 single family homes. Discussion followed.

This matter was taken under advisement.

ANNEXATION 15012 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 5 ACRES OF PROPERTY GENERALLY LOCATED AT SOUTH 88TH STREET AND PIONEERS BOULEVARD;

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CHANGE OF ZONE 15032 - APPLICATION OF HIMARK PROPERTIES, LLC FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT SOUTH 88TH STREET AND PIONEERS BOULEVARD - Tim Gergen, Clark Enersen Partners, 1010 Lincoln Mall, Suite 200, came forward and stated that this is for development of 11 single family homes. Discussion followed.

This matter was taken under advisement.

TEXT AMENDMENT 15022 - AMENDING SECTION 27.62.100 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE CONDITIONAL USES IN RETAIL SALES AND SERVICES USE GROUP TO CORRECT AN ERROR MADE TO SUBSECTION (H)(2) IN A PREVIOUS TEXT AMENDMENT TO CLARIFY THAT THE FLOOR AREA RESTRICTION FOR PERSONAL SERVICES APPLIES TO THE SIZE OF THE USE AND NOT TO THE SIZE OF THE BUILDING THE USE IS LOCATED IN; AND REPEALING SECTION 27.62.100 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING - David Cary, Acting Planning Director, came forward and stated that this is to correct an error and it needs to state that the floor area restriction for personal services applies to the size of the use and not to the size of the building. Discussion followed.

This matter was taken under advisement.

CHANGE OF ZONE 15033 - APPLICATION OF JOHN D. AND JANICE K. VERMAAS FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT SOUTH 27TH STREET AND ROKEBY ROAD - Mike Eckert, Civil Design Group, 8535 Executive Woods Dr, Suite 200, came forward and stated that this will be for town homes. Discussion followed.

This matter was taken under advisement.

APPROVING A LEASE AGREEMENT BETWEEN THE CITY OF LINCOLN, PARKS AND RECREATION DEPARTMENT AND U.S. DEPARTMENT OF THE ARMY FOR THE LEASE OF 333.75 ACRES OF PUBLIC PARK PROPERTY AT HOLMES LAKE DAM SITE NO. 17 FOR A 25 YEAR TERM - Lynn Johnson, Director of Parks & Rec., came forward and stated that this is a 25 year plan and is similar to past plans. One new provision requires that the City will comply to Federal Minimum Wage standards. Discussion followed.

This matter was taken under advisement.

AMENDING CHAPTER 2.06 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE MAYOR'S AUTHORITY TO EXECUTE CONTRACTS BY ADDING A NEW SECTION NUMBERED 2.06.120 REQUIRING COUNCIL APPROVAL OF NON-BID CONTRACTS ABOVE \$50,000.00 - Rick Hoppe, Mayor's Office, came forward and stated that he wanted to address Executive Authority and whether that change in Executive Authority is prohibited by the City Charter. In Article 4 Section 12 of the Charter, it talks about the Executive Administrative Power of the City being best and exercised by the Mayor, and farther into this section it states that the Mayor should be fully responsible for the proper conduct of the Executive Administrative Works and Affairs of the City. Under Duties and Powers, as listed in Subsection 5, it states that the Mayor exercises supervision over making purchases and contracts and personally makes or approves purchases and contracts in excess of \$25,000.00 dollars. Mr. Hoppe stated the City Charter states that the Mayor approves the contracts. The ordinance that is drafted doesn't conform to that in several areas. Mr. Hoppe stated that he does not feel that City Council has the authority to make these changes as stated by the language in the City Charter. Discussion followed.

This matter was taken under advisement.

COUNCIL ACTION

REPORTS OF CITY OFFICERS

APPOINTING DON HERZ TO THE COMMUNITY HEALTH ENDOWMENT BOARD OF TRUSTEES FOR A TERM EXPIRING SEPTEMBER 1, 2018 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-89403 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the appointment of Don Herz to the Community Health Endowment Board of Trustees for a term expiring September 1, 2018, is hereby approved.

Introduced by Jon Camp

Seconded by Gaylor Baird & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

REAPPOINTING MARTHA SHULSKI TO THE AIR POLLUTION CONTROL ADVISORY BOARD FOR A TERM EXPIRING SEPTEMBER 1, 2018 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-89404 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the reappointment of Martha Shulski to the Air Pollution Advisory Board for a term expiring September 1, 2018, is hereby approved.

Introduced by Jon Camp

Seconded by Gaylor Baird & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

APPOINTING PIYUSH SRIVASTAV TO THE AIR POLLUTION CONTROL ADVISORY BOARD FOR A TERM EXPIRING SEPTEMBER 1, 2018 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-89405 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the appointment of Piyush Srivastav to the Air Pollution Advisory Board for a term expiring September 1, 2018, is hereby approved.

Introduced by Jon Camp

Seconded by Gaylor Baird & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

RESOLUTION APPROVING THE CITY OF LINCOLN'S INVESTMENT ACTIVITY REPORT FROM THE CITY TREASURER FOR THE FOURTH QUARTER, FISCAL YEAR, 2014-2015 - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-89406 BE IT HEREBY RESOLVED BY THE CITY COUNCIL of the City of Lincoln, Nebraska:

That the Investment Activity report and attached list of investments be confirmed and approved, and the City Treasurer is hereby directed to hold said investments until maturity unless otherwise directed by the City Council.

Introduced by Roy Christensen

Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

APPROVING THE DISTRIBUTION OF FUNDS REPRESENTING INTEREST EARNINGS ON SHORT-TERM INVESTMENTS OF IDLE FUNDS DURING THE MONTH ENDED OCTOBER 31, 2015 - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-89407 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That during the month ended October 31, 2015 \$88,692.28 was earned from the investments of "IDLE FUNDS". The same is hereby distributed to the various funds on a pro-rata basis using the balance of each fund and allocating a portion of the interest on the ratio that such balance bears to the total of all fund balances.

Introduced by Roy Christensen

Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

PETITIONS & COMMUNICATIONS

SETTING HEARING DATE OF MONDAY, DECEMBER 21, 2015 AT 5:30 P.M. ON THE MANAGER APPLICATION OF DOUGLAS W. LARKINS FOR WHITEHEAD OIL COMPANY DBA U-STOP #11 AT 2925 NW 12TH STREET - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-89408 WHEREAS, Whitemark Energy, LLC dba U-Stop #26 located at 8350 Northwoods Drive, Lincoln, Nebraska has been approved for a Retail Class "D" liquor license and now requests that Douglas W. Larkins be named manager;

WHEREAS, Douglas W. Larkins appears to be a fit and proper person to manage said business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Douglas W. Larkins be approved as manager of this business for said licensee. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Roy Christensen

Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

REFERRED TO THE PLANNING DEPARTMENT:

CHANGE OF ZONE NO. 15038, REQUESTED BY IBEW LOCAL UNION #265, FROM H-3 HIGHWAY COMMERCIAL DISTRICT TO O-3 OFFICE PARK DISTRICT, ON PROPERTY GENERALLY LOCATED AT 6200 SOUTH 14TH STREET.

PRE-EXISTING USE PERMIT NO. 3AF, REQUESTED BY REGA ENGINEERING, TO AMEND THE USE PERMIT AT GATEWAY MALL SHOPPING CENTER TO AUTHORIZE CONSTRUCTION OF A 70,000 SQUARE FOOT ADDITION TO THE EXISTING MALL AND TO ALLOW WAIVERS TO THE ZONING ORDINANCE FOR HEIGHT AND LOT REQUIREMENTS, A REDUCTION IN THE

PARKING RATIO, HEIGHT AND SIZE OF A FREE-STANDING SIGN AND TO ALLOW BANNER SIGNS ON EXISTING LIGHT POLES IN THE PARKING LOT, ON PROPERTY GENERALLY LOCATED AT 6100 O STREET.

USE PERMIT NO. 15015, REQUESTED BY IBEW LOCAL UNION #265, FOR CONSTRUCTION OF A NEW BUILDING CONSISTING OF A MEETING HALL AND OFFICE SPACE, WITH A WAIVER REQUEST OF THE REQUIRED REAR AND SIDE YARD SETBACKS, ON PROPERTY GENERALLY LOCATED AT 6200 SOUTH 14TH STREET.

LIQUOR RESOLUTIONS

APPLICATION OF B&R STORES, INC. DBA RUSS'S MARKET 2 TO EXPAND ITS CLASS C LIQUOR LICENSE BY THE ADDITION OF A NEW LICENSED AREA DESCRIBED AS A ONE STORY IRREGULAR SHAPED BUILDING APPROXIMATELY 273 FEET BY 345 FEET INCLUDING MEZZANINE AREA LOCATED AT 103 NORTH 66TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89409 That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of B&R Stores, Inc. dba Russ's Market 2 to expand its licensed premises by the addition of a new licensed area described as a one story irregular shaped building approximately 273 feet by 345 feet including mezzanine area, at 103 North 66th Street, Lincoln, Nebraska, be approved with the condition that the premises complies in every respect with all City and State regulations, specifically the Smoking Regulation Act and the Nebraska Clean Indoor Air Act.

BE IT FURTHER RESOLVED that the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm; NAYS: None; ABSTAINED: Raybould.

APPLICATION OF TWO LOON VENTURES, LLC DBA THIRSTY SPORTS BAR FOR A CLASS C LIQUOR LICENSE AT 317 SOUTH 11TH STREET, SUITE C - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89410 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Two Loon Ventures, LLC dba Thirsty Sports Bar for a Class "C" liquor license at 317 South 11th Street, Suite C, Lincoln, Nebraska, for the license period ending October 31, 2016, be approved with the condition that:

1. Applicant must successfully complete the responsible beverage manager training course required by Section 5.04.035 of the Lincoln Municipal Code prior to receiving the liquor license from the City Clerk.

2. All employees must possess a valid Responsible Beverage Server/Seller Permit as required by Section 5.04.124 of the Lincoln Municipal Code.

3. The premises must comply in every respect with all city and state regulations.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

MANAGER APPLICATION OF JASON E. VON KAENEL FOR TWO LOON VENTURES, LLC DBA THIRSTY SPORTS BAR AT 317 SOUTH 11TH STREET, SUITE C - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89411 WHEREAS, Two Loon Ventures, LLC dba Thirsty Sports Bar located at 317 South 11th Street, Suite C, Lincoln, Nebraska has been approved for a Retail Class "C" liquor license, and now requests that Jason E. Von Kaenel be named manager;

WHEREAS, Jason E. Von Kaenel appears to be a fit and proper person to manage said business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Jason E. Von Kaenel be approved as manager of this business for said licensee.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

APPLICATION OF BOILER BREWING COMPANY, LLC DBA BOILER BREWING COMPANY FOR A CLASS C LIQUOR LICENSE AT 129 NORTH 10TH STREET, SUITE 8 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89412 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Boiler Brewing Company, LLC dba Boiler Brewing Company for a Class "C" liquor license at 129 North 10th Street, Suite 8, Lincoln, Nebraska, for the license period ending October 31, 2016, be approved with the condition that:

1. All employees must possess a valid Responsible Beverage Server/Seller Permit as required by Section 5.04.124 of the Lincoln Municipal Code.

2. The premises must comply in every respect with all city and state regulations.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

MANAGER APPLICATION OF THAD M. AERTS FOR BOILER BREWING COMPANY, LLC DBA BOILER BREWING COMPANY AT 129 NORTH 10TH STREET, SUITE 8. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89413 WHEREAS, Boiler Brewing Company, LLC dba Boiler Brewing Company located at 129 North 10th Street, Suite 8, Lincoln, Nebraska has been approved for a Retail Class "C" liquor license, and now requests that Thad M. Aerts be named manager;

WHEREAS, Thad M. Aerts appears to be a fit and proper person to manage said business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Thad M. Aerts be approved as manager of this business for said licensee.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

APPLICATION OF NEBRASKA ENTERTAINMENT, INC. DBA SOUTH POINTE CINEMA FOR A CLASS I LIQUOR LICENSE AT 2920 PINE LAKE ROAD - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89414 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Nebraska Entertainment, Inc. dba South Pointe Cinema for a Class "I" liquor license at 2920 Pine Lake Road, Lincoln, Nebraska, for the license period ending April 30, 2016, be approved with the condition that:

1. All employees must possess a valid Responsible Beverage Server/Seller Permit as required by Section 5.04.124 of the Lincoln Municipal Code.

2. The premises must comply in every respect with all city and state regulations.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

MANAGER APPLICATION OF LISA M. FRYDA FOR NEBRASKA ENTERTAINMENT, INC. DBA SOUTH POINTE CINEMA AT 2920 PINE LAKE ROAD - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89415 WHEREAS, Nebraska Entertainment, Inc. dba South Pointe Cinema located at 2920 Pine Lake Road, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Lisa M. Fryda be named manager;

WHEREAS, Lisa M. Fryda appears to be a fit and proper person to manage said business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Lisa M. Fryda be approved as manager of this business for said licensee.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

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Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

MANAGER APPLICATION OF SANDRA K. MCCORKINDALE FOR D&S OPERATIONS, LLC DBA CIGARZ LOUNGE AT 800 Q STREET, SUITE 102 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89416 WHEREAS, D&S Operations, LLC dba Cigarz Lounge located at 800 Q Street, Suite 102, Lincoln, Nebraska has been approved for a Retail Class "C" liquor license, and now requests that Sandra K. McCorkindale be named manager;

WHEREAS, Sandra K. McCorkindale appears to be a fit and proper person to manage said business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Sandra K. McCorkindale be approved as manager of this business for said licensee.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

MANAGER APPLICATION OF JASON J. GEHRKEN FOR RED ROBIN INTERNATIONAL, INC. DBA RED ROBIN AMERICA'S GOURMET BURGERS AT 2707 PINE LAKE ROAD - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89417 WHEREAS, Red Robin International, Inc. dba Red Robin America's Gourmet Burgers located at 2707 Pine Lake Road, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Jason J. Gehrken be named manager;

WHEREAS, Jason J. Gehrken appears to be a fit and proper person to manage said business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Jason J. Gehrken be approved as manager of this business for said licensee.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

MANAGER APPLICATION OF RANDY A. WILSON JR. FOR NHC, LLC DBA CRAWFORD'S AT 101 NORTH 14TH STREET, SUITE 1 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89418 WHEREAS, NHC, LLC dba Crawford's located at 101 North 14th Street, Suite 1, Lincoln, Nebraska has been approved for a Retail Class "CK" liquor license, and now requests that Randy A. Wilson Jr. be named manager;

WHEREAS, Randy A. Wilson Jr. appears to be a fit and proper person to manage said business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Randy A. Wilson Jr. be approved as manager of this business for said licensee.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

MANAGER APPLICATION OF JAMES DONALDSON FOR THE FLATWATER BISTRO, LLC DBA THE FLATWATER BISTRO AT 801 R STREET, SUITE 100 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89419 WHEREAS, The Flatwater Bistro, LLC dba The Flatwater Bistro located at 801 R Street, Suite 100, Lincoln, Nebraska has been approved for a Retail Class "CK" liquor license, and now requests that James Donaldson be named manager;

WHEREAS, James Donaldson appears to be a fit and proper person to manage said business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that James Donaldson be approved as manager of this business for said licensee.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

MANAGER APPLICATION OF STEVEN C. ROKER FOR WALGREEN COMPANY DBA WALGREENS 515 AT 2600 SOUTH 48TH STREET, WALGREENS 541 AT 1301 O STREET, WALGREENS 1162 AT 8300 NORTHERN LIGHTS DRIVE, WALGREENS 2845 AT 5701 VILLAGE DRIVE, WALGREENS 3182 AT 7045 O STREET, WALGREENS 4088 AT 2502 NORTH 48TH STREET, WALGREENS 5874 AT 2630 PINE LAKE ROAD, WALGREENS 6884 AT 4000 SOUTH 70TH STREET, AND WALGREENS 11089 AT 5500 RED ROCK LANE - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89420 WHEREAS, Walgreen Company dba Walgreens 515 located at 2600 South 48th Street, Walgreens 541 located at 1301 O Street, Walgreens 1162 located at 8300 Northern Lights Drive, Walgreens 2845 located at 5701 Village Drive, Walgreens 3182 located at 7045 O Street, Walgreens 4088 located at 4000 South 70th Street, and Walgreens 11089 located at 5500 Red Rock Lane, Lincoln, Nebraska have been approved for Retail Class "D" liquor licenses, and now requests that Steven C. Roker be named manager; WHEREAS, Steven C. Roker appears to be a fit and proper person to manage said business. NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Steven C. Roker be approved as manager of this business for said licensee.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

MANAGER APPLICATION OF PATRICK J. DYTRYCH FOR STL OF NEBRASKA, INC. DBA TARGET STORE T-0217 AT 333 NORTH 48TH STREET, TARGET STORE T-0879 AT 5330 SOUTH 56TH STREET, AND TARGET STORE T-2303 AT 8201 SOUTH 40TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89421 WHEREAS, STL of Nebraska, Inc. dba Target Store T-0217 located at 333 North 48th Street, Target Store T-0879 located at 5330 South 56th Street, and Target Store T-2303 located at 8201 South 40th Street, Lincoln, Nebraska have been approved for Retail Class "DK" liquor licenses, and now requests that Patrick J. Dytrych be named manager; WHEREAS, Patrick J. Dytrych appears to be a fit and proper person to manage said business. NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Patrick J. Dytrych be approved as manager of this business for said licensee.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

PUBLIC HEARING - RESOLUTIONS

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF NOVEMBER 1-30, 2015 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-89423 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the claims listed in the attached report, marked as Exhibit "A", dated December 1, 2015, of various new and pending tort claims filed against the City of Lincoln with the Office of the City Attorney or the Office of the City Clerk, as well as claims which have been disposed of, are hereby received as required by Neb. Rev. Stat. § 13-905 (Reissue 1997). The dispositions of claims by the Office of the City Attorney, as shown by the attached report, are hereby approved:

<u>DENIED CLAIMS</u>		<u>ALLOWED/SETTLED CLAIMS</u>	
Allison Stutzman	\$ 274.36	Mr. Rooter Plumbing	\$ 3,180.00
Shane Alley & Amanda Wagner	1,143.33	Sheila Stutzman	5,241.37
Mark Campa	1,700.00		
Robert R. Speer	804.82	<u>LITIGATION SETTLEMENT</u>	
		B lanca Rincon-Flores	\$10,000.00

The City Attorney is hereby directed to mail to the various claimants listed herein a copy of this resolution which shows the final disposition of their claim.

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Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

APPROVING A COOPERATIVE AGREEMENT BETWEEN THE NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY (NDEQ) AND THE CITY OF LINCOLN REGARDING STATE OF NEBRASKA GRANT FUNDING FROM THE STORMWATER MANAGEMENT PLAN PROGRAM - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-89424 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Cooperative Agreement between the City of Lincoln and the Nebraska Department of Environmental Quality (NDEQ) regarding grant funding from the state Stormwater Management Plan Program, upon the terms and conditions as set forth in said Agreement, is hereby approved and the Mayor is authorized to execute said Agreement on behalf of the City. This Agreement provides for NDEQ grant funding to implement programs and projects in association with the City of Lincoln's Stormwater Management Program.

The City Clerk is directed to transmit an executed original Agreement to Ben Higgins, Public Works and Utilities Department, 555 South 10th Street, for transmittal to the Nebraska Department of Environmental Quality.

Introduced by Jon Camp

Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

TEXT AMENDMENT 15023 - AMENDING SECTIONS 1 THROUGH 10 OF CHAPTER 2.05 ENTITLED "STORMWATER DRAINAGE DESIGN STANDARDS" TO ADD DEFINITIONS, TO PROVIDE INFORMATION REGARDING THE DRAINAGE CRITERIA MANUAL, TO UPDATE THE DESIGN STANDARDS TO CLARIFY REFERENCES TO OTHER DOCUMENTS; AND UPDATE THE DESIGN STANDARDS TO MATCH PROVISIONS IN CHAPTER 28.03 OF THE LINCOLN MUNICIPAL CODE ENTITLED "REGULATIONS FOR POST CONSTRUCTION STORM WATER MANAGEMENT" AND CHAPTER 8 TO THE CITY OF LINCOLN'S DRAINAGE CRITERIA MANUAL - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-89425 WHEREAS, the City of Lincoln has previously adopted the City of Lincoln Design Standards including Sections 1 through 11 of Chapter 2.05 - Stormwater Drainage Design Standards by Resolution No. A-80518 as amended by Resolution No. A-82748, and Resolution A-84431; and

WHEREAS, amendments to Sections 1 through 10 of Chapter 2.05 - Stormwater Drainage Design Standards; are necessary to add definitions in Section 1, to provide information in Section 2 as to where and how to obtain a copy of the City of Lincoln Drainage Criteria Manual, and to update Sections 2, 3, 4, 5, 6, 7, 8, 9 and 10 to clarify references to the City of Lincoln's Drainage Criteria Manual, the Federal Emergency Management Agency, the Flood Insurance Study, the Department of Public Works and Utilities, the City of Lincoln and the Nebraska Department of Natural Resources, and to match provisions included in Ordinance No. 19990 (adding a new Chapter 28.03 - Regulations for Post Construction Storm Water Management to the Lincoln Municipal Code) and included in Resolution No. A -88056 (adopting a new Chapter 8 to the City of Lincoln's Drainage Criteria Manual).

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That Sections 1 through 10 of Chapter 2.05 Stormwater Drainage Design Standards; adopted by the City Council on November 6, 2000 by Resolution No. A-80518 as amended by Resolution No. A-82748 adopted on May 10, 2004, be and the same are hereby amended as shown on Attachment "A" which is attached hereto and incorporated herein by reference.

Introduced by Jon Camp

Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

APPEAL BY CARL ESKRIDGE OF THE STARTRAN ADVISORY BOARD ACTION APPROVING THE TRANSIT DEVELOPMENT PLAN (TDP) AND THE NEAR-TERM ROUTE CHANGES THAT ARE PART OF THE TDP - PRIOR to reading:

LAMM Moved to continue Public Hearing w/ Action on Bill 15R-245 to 2/08/16.

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

ORDINANCES - 2ND READING & RELATED RESOLUTIONS (as required)

COMP. PLAN CONFORMANCE 15031 - DECLARING FOUR VACANT PARCELS OF LAND GENERALLY LOCATED AT NORTH 14TH AND NEW HAMPSHIRE, 2100 Y STREET, AND CITY-OWNED LOTS ON THE 400 BLOCK OF SOUTH 40TH STREET AND THE 400 BLOCK OF SOUTH 55TH STREET AS SURPLUS PROPERTY - CLERK read an ordinance, introduced by Jon Camp, declaring four vacant parcels of land generally located at North 14th Street and New Hampshire, 2100 Y Street, and city-owned lots on the 400 block of South 55th Street as surplus, the second time.

ANNEXATION 15010 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 28 ACRES OF PROPERTY GENERALLY LOCATED AT SOUTH 98TH STREET AND ANDERMATT DRIVE. (RELATED ITEMS: 15-143, 15-144) - CLERK read an ordinance, introduced by Jon Camp, annexing and including the below described land as part of Ordinance No. 18208, to reflect the extension of the corporate limits boundary of the City of Lincoln, Nebraska established and shown thereon, the second time.

CHANGE OF ZONE 15029 - APPLICATION OF ANDERMATT, LLC FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT AND B-2 PLANNED NEIGHBORHOOD BUSINESS DISTRICT TO R-3 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT SOUTH 98TH STREET AND ANDERMATT DRIVE. (RELATED ITEMS: 15-143, 15-144) - CLERK read an ordinance, introduced by Jon Camp, amending the Lincoln Zoning District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, pursuant to Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the second time.

ANNEXATION 15012 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 5 ACRES OF PROPERTY GENERALLY LOCATED AT SOUTH 88TH STREET AND PIONEERS BOULEVARD. (RELATED ITEMS: 15-145, 15-146) - CLERK read an ordinance, introduced by Jon Camp, annexing and including the below described land as part of the City of Lincoln, Nebraska and amending the Corporate Limits Map attached to and made a part of Ordinance No. 18208, to reflect the extension of the corporate limits boundary of the City of Lincoln, Nebraska established and shown thereon, the second time.

CHANGE OF ZONE 15032 - APPLICATION OF HIMARK PROPERTIES, LLC FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT SOUTH 88TH STREET AND PIONEERS BOULEVARD. (RELATED ITEMS: 15-145, 15-146) - CLERK read an ordinance, introduced by Jon Camp, amending the Lincoln Zoning District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, pursuant to Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the second time.

TEXT AMENDMENT 15022 - AMENDING SECTION 27.62.100 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE CONDITIONAL USES IN RETAIL SALES AND SERVICES USE GROUP TO CORRECT AN ERROR MADE TO SUBSECTION (H)(2) IN A PREVIOUS TEXT AMENDMENT TO CLARIFY THAT THE FLOOR AREA RESTRICTION FOR PERSONAL SERVICES APPLIES TO THE SIZE OF THE USE AND NOT TO THE SIZE OF THE BUILDING THE USE IS LOCATED IN; AND REPEALING SECTION 27.62.100 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING - CLERK read an ordinance, introduced by Jon Camp, amending Section 27.62.100 of the Lincoln Municipal Code relating to Conditional Uses in Retail Sales and Services Use Group to correct an error made to subsection (h)(2) in a pervious text amendment to clarify htat the floor area restriction for personal services applies to the use and not the size of the building the use is located in; and repealing Section 27.62.100 of the Lincoln Municipal Code as hitherto existing, the second time.

CHANGE OF ZONE 15033 - APPLICATION OF JOHN D. AND JANICE K. VERMAAS FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT SOUTH 27TH STREET AND ROKEBY ROAD - CLERK read an ordinance, introduced by Jon Camp, amending the Lincoln Zoning District Maps adopted by reference and made part of Title 27 of the Lincoln Municipal Code, pursuant to Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the second time.

APPROVING A LEASE AGREEMENT BETWEEN THE CITY OF LINCOLN, PARKS AND RECREATION DEPARTMENT AND U.S. DEPARTMENT OF THE ARMY FOR THE LEASE OF 333.75 ACRES OF PUBLIC PARK PROPERTY AT HOLMES LAKE DAM SITE NO. 17 FOR A 25 YEAR TERM - CLERK read an ordinance, introduced by Jon Camp, accepting and approving a Lease Agreement between the City of Lincoln, Parks and Recreation Department and U.S. Department of the Army for the lease of 333.75 acres of public park property at Holmes Lake Dam Site No. 17 for a 25 year term, the second time.

ORDINANCES - 3rd READING & RELATED RESOLUTIONS

AMENDING CHAPTER 2.06 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE MAYOR'S AUTHORITY TO EXECUTE CONTRACTS BY ADDING A NEW SECTION NUMBERED 2.06.120 REQUIRING COUNCIL APPROVAL OF NON-BID CONTRACTS ABOVE \$50,000.00. (11/16/15 - DELAY ACTION W/ PUBLIC HEARING 3 WEEKS TO 12/07/15) (12/7/15 - DELAYED ACTION W/ PUBLIC HEARING 1 WEEK TO 12/14/15) - PRIOR to reading:
CHRISTENSEN Moved to delay action w/ continued public hearing to 1/11/16.

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Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

CLERK Read an ordinance, introduced by Carl Eskridge, amending chapter 2.06 of the Lincoln Municipal Code relating to the Mayor's Authority to execute contracts by adding a new section numbered 2.06.120 requiring Council approval of non-bid contracts above \$50,000.00, the third time.

ANNEXATION 15011 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 48.92 ACRES AND ADJACENT O STREET RIGHT-OF-WAY ON PROPERTY GENERALLY LOCATED AT SOUTH 90TH STREET AND O STREET. (RELATED ITEMS: 15-136, 15-137) (REQUEST TO DELAY PUBLIC HEARING TO 12/7/15) (11/23/15 - PUBLIC HEARING DELAYED TO 12/07/15) - PRIOR to reading:

CHRISTENSEN Moved to delay action to 1/11/16.

Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

CLERK Read an ordinance, introduced by Cyndi Lamm, annexing and including the below described land as part of the City of Lincoln, Nebraska and amending the Corporate Limits Map attached to and made a part of Ordinance No. 18208, to reflect the extension of the corporate limits boundary of the City of Lincoln, Nebraska established and shown thereon, the third time.

CHANGE OF ZONE 15028 - APPLICATION OF THE OWNERS FOR APPROVAL OF A CHANGE OF ZONE REZONING APPROXIMATELY 48.92 ACRES FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT; DESIGNATING SAID PROPERTY AS A PLANNED UNIT DEVELOPMENT DISTRICT; AND FOR APPROVAL OF A DEVELOPMENT PLAN WHICH PROPOSES R-3, R-5 AND B-2 USES AND MODIFICATIONS TO THE ZONING ORDINANCE AND SUBDIVISION REGULATIONS. (RELATED ITEMS: 15-136, 15-137) (REQUEST TO DELAY PUBLIC HEARING TO 12/7/15) (11/23/15 - PUBLIC HEARING DELAYED TO 12/07/15) - PRIOR to reading:

CHRISTENSEN Moved to delay action to 1/11/16.

Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

CLERK Read an ordinance, introduced by Cyndi Lamm, amending the Lincoln Zoning District Maps attached to and made a part of Title 27 of the Lincoln Municipal Code, as provided by Section 27.05.02 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the third time.

APPROVING A CABLE TELEVISION FRANCHISE AGREEMENT FOR A 15 YEAR TERM BETWEEN THE CITY OF LINCOLN AND ALLO COMMUNICATIONS, LLC TO PROVIDE CABLE TELEVISION SERVICES AND PRODUCTS TO THE CITIZENS OF LINCOLN. (RELATED ITEMS: 15-138, 15-139, 15-140, 15-141) - PRIOR to reading:

RAYBOULD Moved to amend Bill 15-138 by replacing the Cable Television Franchise Agreement which is attached to the ordinance with the Cable Television Franchise Agreement.

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

CLERK Read an ordinance, introduced by Jane Raybould, granting a cable communication facility franchise to Allo Communications, LLC to provide cable television services and to maintain a cable communication facility within the City of Lincoln pursuant to and subject to the provisions of the Lincoln Municipal Code, the second time.

RAYBOULD Moved to pass the ordinance as amended.

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

The ordinance, being numbered **#20268**, is recorded in Ordinance Book 30.

APPROVING A BROADBAND FRANCHISE AGREEMENT FOR A 25 YEAR TERM BETWEEN THE CITY OF LINCOLN AND ALLO COMMUNICATIONS, LLC TO PROVIDE BROADBAND SERVICES AND PRODUCTS TO THE CITIZENS OF LINCOLN. (RELATED ITEMS: 15-138, 15-139, 15-140, 15-141) - PRIOR to reading:

CHRISTENSEN Moved to amend Bill 15-139 by replacing the Broadband Franchise Agreement which is attached to the ordinance with the Broadband Franchise Agreement.

Seconded by Camp & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

CLERK Read an ordinance, introduced by Jane Raybould, granting a broadband franchise to Allo Communications, LLC to provide broadband services and to maintain a broadband facility within the City of Lincoln pursuant to and subject to the provisions of the franchise agreement and the Lincoln Municipal Code, the third time.

RAYBOULD Moved to pass the ordinance as amended.

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

The ordinance, being numbered **#20269**, is recorded in Ordinance Book 30.

APPROVING A CONDUIT LEASE AGREEMENT FOR A TWENTY FIVE YEAR TERM BETWEEN THE CITY OF LINCOLN AND ALLO COMMUNICATIONS, LLC TO OCCUPY SPACE IN THE CITY'S LINCOLN TECHNOLOGY IMPROVEMENT DISTRICT CONDUIT SYSTEM. (RELATED ITEMS: 15-138, 15-139, 15-140, 15-141) - PRIOR to reading:

CHRISTENSEN Moved to amend Bill 15-140 by replacing the Conduit Lease Agreement which is attached to the ordinance with the Conduit Lease Agreement.

Seconded by Gaylor Baird & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

CLERK Read an ordinance, introduced by Jane Raybould, accepting and approving a Conduit System Lease Agreement between the City of Lincoln, Nebraska and Allo Communications, LLC to occupy space in the City's Lincoln Technology Improvement District conduit system for a twenty five year term, the third time.

RAYBOULD Moved to pass the ordinance as amended.

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

The ordinance, being numbered #20270, is recorded in Ordinance Book 30.

AMENDING TITLE 5 OF THE LINCOLN MUNICIPAL CODE RELATING TO LICENSES AND REGULATIONS TO CREATE A NEW CHAPTER 5.12 ENTITLED "RESIDENTIAL BROADBAND" TO COORDINATE THE REGULATIONS WITH THE NEWLY NEGOTIATED BROADBAND FRANCHISE. (RELATED ITEMS: 15-138, 15-139, 15-140, 15-141) - PRIOR to reading:

RAYBOULD Moved to amend Bill 15-141 as follows:

1. On page 2, line 5, after the word "Any", insert the following: "broadband system".

2. On page 2, line 6, after the word "franchise", insert the following: "or lease of the City's conduit system".

3. On page 2, lines 8-10, strike out the sentence as follows: "A broadband system operator utilizing any part of the City's conduit system to provide residential broadband, whether by direct lease or by sublease, must obtain a franchise prior to constructing a broadband system or providing such service within the City." and insert the following paragraph: "A residential broadband system franchise shall be required for any provider of broadband service that 1) is providing such service to residential customers within the city limits, and 2) utilizes any part of the City's conduit system to provide such residential broadband service, whether by direct lease with the City or by sublease with another provider. A broadband system franchise must be obtained prior to constructing such a broadband system or providing such service within the City."

4. On page 37, line 7, after the word "from", insert the following: "any broadband".

5. On page 37, line 8, after the word "fees", insert the following: "conduit access permit fees".

6. On page 37, line 9, after the word "into", strike out the "n" in "an" and insert the following: "Broadband".

7. On page 37, line 11, before the word "operations", insert the following: "management".

Seconded by Camp & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

CLERK Read an ordinance, introduced by Jane Raybould, amending Title 5 of the Lincoln Municipal Code relating to Licenses and Regulations to create a new Chapter entitled "Residential Broadband" to establish licenses and regulations for residential broadband services, the third time.

RAYBOULD Moved to pass the ordinance as amended.

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

The ordinance, being numbered #20267, is recorded in Ordinance Book 30.

RESOLUTIONS - 1ST READING

APPROVING A CONTRACT BETWEEN THE CITY OF LINCOLN AND BEEHIVE INDUSTRIES, LLC FOR ENTERPRISE WIDE ASSET MANAGEMENT SOLUTION, PURSUANT TO BID NO. 15-189, FOR A FOUR TERM WITH THE OPTION TO RENEW FOR TWO ADDITIONAL FOUR YEAR TERMS. (RELATED ITEMS 15-155, 15R-248)

IDENTIFYING AND DECLARING AN AREA WITHIN DOWNTOWN LINCOLN AS THE DOWNTOWN LINCOLN BUSINESS AREA AND APPOINTING THE MEMBERS OF THE DOWNTOWN LINCOLN BUSINESS IMPROVEMENT BOARD.

APPROVING AN AMENDMENT TO THE VICTORY PARK - VA CAMPUS REDEVELOPMENT AGREEMENT TO EXTEND THREE CONTINGENCY DEADLINES FROM JANUARY 1, 2016 TO AUGUST 31, 2016.

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IDENTIFYING AND DECLARING THE AREA GENERALLY LOCATED NORTH AND SOUTH OF “O” STREET FROM 3RD AND “O” STREET ON THE EAST AND THE ON AND OFF RAMPS ONTO HOMESTEAD EXPRESSWAY ON THE WEST AS THE WEST “O” STREET BUSINESS AREA AND APPROVING THE APPOINTMENT OF MIKE DEIBERT, RANDY HAAS, VI SEE, RACHELLE SOULLIERE, AND PATTI YAUSSEI AS THE MEMBERS OF THE BUSINESS IMPROVEMENT BOARD.

WAIVER 15018 - APPEAL OF DENNIS SLAMA FROM THE PLANNING COMMISSION DENIAL OF HIS REQUEST TO WAIVE THE REQUIREMENT OF § 26.23.095 OF THE LAND SUBDIVISION ORDINANCE TO INSTALL A SIDEWALK ADJACENT TO A RESIDENTIAL LOT ON LOT 1, BLOCK 1, WILDERNESS ESTATES 3RD ADDITION, FINAL PLAT #15087, GENERALLY LOCATED AT 731 GLENRIDGE ROAD.

COMP. PLAN AMENDMENT 15003 - APPLICATION OF THE PLANNING DIRECTOR TO AMEND THE 2040 LINCOLN-LANCASTER COUNTY COMPREHENSIVE PLAN TO ADOPT THE "SOUTH HAYMARKET NEIGHBORHOOD PLAN" AS AN AMENDMENT TO THE 2005 DOWNTOWN MASTER PLAN A SUBAREA PLAN OF THE 2040 LINCOLN-LANCASTER COUNTY COMPREHENSIVE PLAN.

ASSESSING THE COSTS INCURRED FOR CUTTING, CLEARING AND REMOVING WEEDS AGAINST THE VARIOUS BENEFITTED PROPERTIES FOR THE PERIOD OF JANUARY 1, 2015 THROUGH DECEMBER 31, 2015. (REQUEST TO WAIVE THE RULES TO HAVE PUBLIC HEARING & ACTION ON THIS DATE) - PRIOR to reading:

CHRISTENSEN Moved to waive rules to have public hearing & action on 12/14/15.

Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

CLERK Read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-89422 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the costs for cutting, clearing, and removing weeds and other worthless vegetation as shown on the attached Weed Assessment Tax Report for January 1, 2015 through December 31, 2015 be and the same are hereby assessed against the properties set opposite each amount, as shown on Attachment A.

Introduced by Roy Christensen

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

ORDINANCES - 1ST READING & RELATED RESOLUTIONS (as required)

ANNEXATION 14004 - AMENDING ORDINANCE NO. 20125 TO CORRECTLY ASSIGN THE LAND ANNEXED TO CITY COUNCIL DISTRICT #2 - CLERK read an ordinance, introduced by Roy Christensen, amending Ordinance No. 20125 passed by the City Council of the City of Lincoln, Nebraska on January 5, 2015 annexing a part of Lot 68 I.T. located in the Southwest Quarter of Section 27, Township 9 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska, into the corporate limits boundary of the City of Lincoln and correctly assigning the annexed land from City Council District #4 to City Council District #2, the first time.

CHANGE OF ZONE 15034 - APPLICATION OF EDWARD SHARON, TO DESIGNATE THE REES HOUSE AS A LANDMARK, CHANGING THE ZONING DISTRICT FROM R-6 RESIDENTIAL DISTRICT TO R-6 RESIDENTIAL DISTRICT WITH LANDMARK OVERLAY, ON PROPERTY GENERALLY LOCATED AT 4701 BANCROFT STREET - CLERK read an ordinance, introduced by Roy Christensen, amending the City of Lincoln Zoning District Map attached to and made a part of Title 27 of the Lincoln Municipal Code by designating certain property as a Landmark, the first time.

APPROVING THE TRANSFER OF FUNDS FROM APPROVED APPROPRIATIONS INTO A NEW PROJECT FOR A COMPREHENSIVE PWU ASSET MANAGEMENT PROGRAM. (RELATED ITEMS 15-155, 15R-248) - CLERK read an ordinance, introduced by Roy Christensen, approving the transfer of appropriations between certain capital improvement projects within the Water Fund, Wastewater Fund, Solid Waste Fund, and Street Construction Fund for the Public Works & Utilities Department, the first time.

ANNEXATION 15013 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 72.5 ACRES OF PROPERTY GENERALLY LOCATED SOUTHWEST OF THE INTERSECTION OF SOUTH 84TH STREET AND YANKEE HILL ROAD - CLERK read and ordinance, introduced by Roy Christensen, annexing and including the below described land as part of the City of Lincoln, Nebraska and amending the Corporate Limits Map attached to and made a part of Ordinance No. 18208, to reflect the extension of the corporate limits boundary of the City of Lincoln, Nebraska established and shown thereon, the first time.

CHANGE OF ZONE 05068E - APPLICATION OF R.C. KRUEGER DEVELOPMENT, TO AMEND THE WOODLANDS AT YANKEE HILL PLANNED UNIT DEVELOPMENT FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT OVER APPROXIMATELY 82.65 ACRES OF LAND; FOR A PLANNED UNIT DEVELOPMENT DISTRICT DESIGNATION OF SAID PROPERTY; AND FOR A DEVELOPMENT PLAN WHICH PROPOSES MODIFICATIONS TO THE ZONING ORDINANCE AND DESIGN STANDARDS TO ALLOW FOR THE DEVELOPMENT OF UP TO 1,185 TOTAL DWELLING UNITS AND UP TO 744,000 SQUARE FEET OF COMMERCIAL FLOOR AREA, ON PROPERTY GENERALLY LOCATED BETWEEN 70TH STREET AND 84TH STREET, SOUTH OF YANKEE HILL ROAD. (RELATED ITEMS: 15-152, 15-153) - CLERK read and ordinance, introduced by Roy Christensen, amending the Lincoln Zoning District Maps attached to and made a part of Title 27 of the Lincoln Municipal Code, as provided by Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the first time.

OPEN MICROPHONE

Mike Morosin, 1500 N. 15th St., came forward with concerns and questions on legal documents he received.

This matter was taken under advisement.

Terri Pope-Gonzalez, 349 S. 1st St., came forward with comments on various issues.

This matter was taken under advisement.

ADJOURNMENT

6:58 P.M.

CAMP Moved to adjourn the City Council Meeting of December 14, 2015.
 Seconded by Christensen & carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

Teresa Meier, City Clerk

Rhonda Bice, Office Specialist

